

THE
Monthly Register,
AND
REVIEW OF THE UNITED STATES.

No. X.]

FOR MAY, 1806.

[VOL. I.

HISTORY.

HISTORIA vero testis temporum, lux veritatis, vita memoriz, magistra vitæ, nuntia vetustatis, qua voce alia, nisi Oratoris, immortalitatē commendatur.

CICERO DE ORATORE.

CHAPTER XXIV.

NOTWITHSTANDING the acquittal of captain PRESTON and his soldiers, which, considering the probability that every bosom in Boston was at the time exceedingly inflamed against them, must by every candid mind be received as a positive proof of their innocence, the affair was by violent parties very differently represented. The best historians—those who wrote when the animosities ever inseparable from such things had subsided, and who had most deliberately and carefully sifted the transactions of the time, have concurred with the verdict of the jury and owned that the soldiers acted under the impulse of necessity and self-defence. It would shew but little philosophy to expect that with so many just motives for partiality to the common cause of their country, and of dislike to the British governors, a transaction of so very affecting a kind should be canvassed with temper, or judged with perfect impartiality. There have been

but few among men who under such exasperation of mind would allow themselves to listen to the justification of those who they thought had injured them ; fewer still who, hearing it, could bring their hearts so far under the rule of their understandings, as to decide against themselves. It is not by wisdom in examining, or by integrity in deciding, separately, but by a felicitous combination of both, that a few men here and there stand elevated above the common level of their kind, and become conspicuous land-marks in the great map of the moral world. As these however are too thinly scattered on the face of the earth to communicate their influence to the mass of mankind, or to obtain ascendancy for truth and reason, where passion is firmly enthroned, he knows but little of the human heart, who can be surprised that notwithstanding the express verdict of the authority lawfully constituted for holding inquisition, and giving judgment on such things, and in contradiction to the plain matter of fact, the unfortunate event should be represented through all the colonies, and not only be believed to be, but sink deeply and indelibly into the hearts of the people, as a massacre of the most barbarous nature, unprovoked by the sufferers, and committed by the perpetrators in wanton cruelty and deliberate malice ; while at the same time the judges who presided at the trial, and the jurors who found a verdict in favour of the soldiers, nay the counsel who pleaded their cause, neither suffered the slightest blame, nor lost an atom of their popularity by their conduct. In subsequent periods, when the fire which indignation for violated right had spread over the eyes of the Americans, had been brushed away by the wings of time, historians and, on their authority, wise and considerate men completely exculpated the soldiery, and their opinions give ample countenance to an assertion boldly made, but coldly believed at the time, that the more violent and jealous of the popular leaders, wishing to have the troops removed, and imagining that their removal would most speedily and certainly be accomplished by coming to

an open rupture with them in which lives should be lost, had in consequence of a pre-concerted plan, stimulated the populace to attack them ; and that it was not till after very severe treatment—not only corporal injury, but bitter insults and gross language—strokes with sticks, stones, lumps of ice and balls of snow—they had recourse to the fatal expedient of firing. In a history where truth and justice impose it upon the writer to detail a train of actions which reflect odium and shame upon the counsels and conduct of a great nation, it is pleasant to be able to relieve the sad series by an occasional circumstance of exculpation. Could the cause of the fatal catastrophe now alluded to, and of the riot which gave rise to it, have been truly attributed to the British, whose intemperate policy fomented the first disputes in Boston, the transaction would be of a dye black beyond the ordinary cause of nature—but it loses somewhat of its turpitude in the minds of the considerate, when it can be referred to that blind wrath which jealousy goaded to madness by a sense of undeserved injuries, and violated right, naturally kindles in the human bosom.

Could the British government and its officers, have been persuaded to abstain from any further encroachments, and had the people of Massachusetts suffered what had passed to expire gradually into oblivion, historians would be relieved from the recital of any greater mischief than that which has already been related. The middle and southern colonies seemed disposed to bury all remembrance of their wrongs ; they gradually abated of their animosities and irritation ; and displayed no other marks of resentment or resistance than a determination to prevent the production of a revenue by hindering the importation of tea. Whether it was, that obedience was more conformable to their original habits and usages than to those of the New England settlers—that the nature, climate and circumstances of their more southern country rendered them less prompt to exertion, less hardy and energetic, and less disposed to provide against future

oppression by a prompt and immediate struggle, or that a dangerous insurrection which broke out in North Carolina, engaged too deeply their attention nearer home, cannot be positively said, but so it happened that the spirit of opposition to the mother country greatly subsided in the middle and southern states while it took deeper root in Massachusetts, and daily assumed a more menacing and formidable aspect there. In that state the opinions for some time generated by the discussions which the impolicy of government had provoked, became every day more firmly fixed in the people's mind. The topic of American rights, familiarised to their tongues, became interwoven with their hearts; the general doctrine of government, of the incompetency of the British to legislate internally for America, and of the injustice and tyranny of taxing an unrepresented community, were the constant subjects of investigation. Over the whole face of the province the most gloomy discontent prevailed. Nothing was heard from their orators but animated descriptions of the blessings of liberty, exhortations against slavery, and anathemas against despotism and its detestable instrument, a standing army. In aid of all this was brought forward the unfortunate issue of the riots, the anniversary of which being observed with the most sad and punctual solemnity, served to keep alive the fire which burned in the general bosom of the province. Thus was every obstruction thrown in the way of a restoration of tranquillity, while by the conduct of government, every access to harmony was blocked up, and the colonists were supplied from time to time, with new motives to jealousy, to anger and to abhorrence. Innovations, suspicions because useless, and odious because at once injurious and affrontful, were made in the departments of government. The governor, hitherto dependent on the provinces for his pay, was now made independent of them; the crown assuming to itself the payment of his salary. The judges too, were contrary to all constitutional rights, placed in a state of dependence on the crown. These proceedings excit-

ed no small degree of alarm and irritation, not only as they were violations of the provincial charter, but as they appeared to the colonists to be modes of corrupting those high officers, and making their determinations subservient to the will of government. The assembly declared it to be a violation of the charter by which the most important trust was wrested from their hands; and by a message informed the governor that the making provision for his support independent of the grants of the general assembly, and *his excellency's receiving the same*, were infractions upon the rights of the inhabitants. Measures had in the mean time been taken to unite all the colonies in a confederacy to pursue the same ends by the same means; committees of correspondence were formed, and their communications not only gave unity to all their proceedings, but kept up the spirit of freedom and opposition through the colony.

While the temper of the colonists was in this irritable state, an event happened which added fuel to the combustible matter already accumulated in the province. By some means which have baffled the inquiry of historians, and will possibly remain for ever unknown but to a few, certain letters addressed by the governor of the province (HUTCHINSON) and the lieutenant governor (OLIVER) to the secretary of state, fell into the hands of the celebrated doctor FRANKLIN, then agent for Massachusetts and several other colonies. Though those letters were private, the doctor thought that the disclosure of them was of too great importance to his country to be dispensed with upon slender formalities, and he immediately sent them to the general court. In truth they were in their nature highly essential to a developement of the mischiefs then brooding, and at this day serve to throw a light upon the causes, and upon the motives which actuated the authors of those mischiefs. In some sort they will extenuate the guilt, though they can neither justify the foolish projects, nor diminish the baleful effects of the conduct of the British cabinet. From thence it appeared to be

the design of the writers to inflame government against the colonies, and to urge it to an obstinate perseverance in the same measures which created their discontent; to blindfold government to the true state of the country; to persuade it that the discontents were not general; that the opposition to taxes was limited and partial; that the spirit, which had set that opposition in activity, was confined to some factious restless persons, few in number, narrow in means, and destitute of influence, whose conduct was disapproved by the majority, and who grew more daring from the insufficiency and lenity of the means used to repress them. Having laid this ground-work, they built upon it a structure of policy of the most mischievous and inflammatory nature, which they earnestly recommended to the adoption of ministers. Among the propositions contained in their code, were those very things which had given such offence, the placing the officers of the executive and judicial departments of government in a state of dependence on the crown, and a total reversal of the constitutional rights of the province, under the name of an alteration of its charter.

Nothing could exceed the rage and disgust which the disclosure of these letters produced in Massachusetts. The house of assembly lost no time to express their displeasure at the conduct of the governors. They came to a resolution that it was the tendency of the letters, and the design of the writers of them to overthrow the constitution, and to introduce arbitrary power into the province. They remonstrated in form to the king, charging the governor and lieutenant governor of having betrayed their trusts, and the people they governed, and of giving private, partial and false information. They declared the governors to be enemies of the province; and they petitioned the king to remove governor HUTCHINSON and lieutenant governor OLIVER from the government of the colony for ever. To this remonstrance and petition there was some, but very ineffectual opposition

made in the house of assembly. They were carried by a majority of eighty two to twelve.

The intolerant spirit, and haughty temper of ministers could ill brook such a direct attack upon their favourite agents, and could not refrain from resenting the attack, even though they felt the necessity of removing the object of it, to soothe the indignation of the colony. Doctor FRANKLIN having laid the affair before the king in council, it was there discussed in that sort of way which might be expected from such men as then were of the council. Every thing was given to anger, little to cool candid deliberation, or to justice. Mr. WEDDERBURNE, (since lord LOUGHBOROUGH) defended the governors. Forgetful of the dignity, the age, and the exalted character, in science and in letters of a FRANKLIN, and unmindful that in what the doctor did, he had only done his duty, he reproached the venerable man in the most bitter terms, as a firebrand of sedition, and as the chief fomenter of the differences between England and her colonies. The council declared that the petition was founded upon false and erroneous allegations; that it was groundless, vexatious and scandalous, and calculated only for the seditious purposes of keeping up a spirit of clamour and discontent in the provinces. This sentence passed by the court junto upon the representatives of Massachusetts, was approved of by the king himself who actually dismissed doctor FRANKLIN from his office of deputy post-master general. This dismissal coupled with the insolent invectives of Mr. WEDDERBURNE, against a man so revered, and so justly admired as doctor FRANKLIN, was felt by the colonists as a new and a purposed outrage; and never was forgiven till the revolution wiped out the offence. After what they had long experienced of ministers, and seeing as they must have seen, that the various parts of the conduct of the British cabinet had been all of one sort, they could not reasonably have expected any thing better—and though from personal affection they must have felt the

deepest regret, they could not well be surprised at the treatment their agent together with their remonstrance and petition received, from the cabal whose wayward machinations had first exiled peace and national harmony from the counsels of the two countries. Governor HUTCHINSON however was displaced and general GAGE appointed in his room.

Disputes of so very serious a nature, protracted through a series of several years, with intermissions of but an insincere a kind, and of duration so short as barely to afford breathing time to the parties on either side, could not fail of at last intermingling with the very blood of those concerned so as to have little hopes of perfect reconciliation, or of any but a hollow adjustment. The canker of hatred insensibly took possession of the heart, and festered there. Every experiment of the state empirics of St. James' irritated it but the more; and the more skilful began to fear that the body politic was already, if not wholly incurable, incapable of restoration to its full pristine healthfulness. Not only the more weighty political interests of the American people, but their passions were engaged in the contest. To the arrogant assumptions and unjust and overbearing haughtiness of the cabinet they opposed the pride of habitual hereditary independence. In contending for their own rights, the people of Massachusetts asserted those of their ancestors, whose illustrious firmness in the cause of freedom, still beamed upon their sight, and operated at once as an example and incentive to lofty daring in the cause of freedom. And in that province the life-blood of freedom incessantly beat high, even when it had so flagged in the sister colonies, that her resolute sons were filled with apprehensions that the spirit of opposition to the measures of the British ministers was extinguished among them. They were mistaken however in their fears. The crisis was now fast approaching when the temper of the whole of the colonies was to be tried; and when in the aggregate they were to shew that they yielded not in spirit to their leaders of Massachusetts. The former perhaps would have rested contented if no practical experiment were to

bring to their remembrance the abstract principle which lay in record over their heads; but the latter, acute, vigilant and suspicious, considered the reservation of the tea duty as a practical recognition of the right of internal legislation, and an irrefragable proof of the determination of Great Britain to tax the colonies *ad libitum* by parliamentary enactment. The right to dispose of their own property they resolved to keep inviolate. This they considered as the palladium of their rights—and this was the ground on which they resolutely determined to make a firm stand. On the other hand the ministers remained obstinate in their purpose to enforce obedience. Thus each side maintained its extreme position; and neither could be prevailed upon to advance towards that middle ground on which accommodation might be hoped for. It was impossible for the colonists not to discern the sinister intention of ministers, even if they had no other aid than the circumstantial evidence already related; but they had more—they had the words of the ministers themselves, who, when the wise and virtuous opposition of that day proposed, that as the more productive duties on the other taxed articles had been given up, that on tea should be taken off also, replied that as the colonists denied the right of the British parliament to tax them, that principle, which they were determined to retain, would be given up, if the whole of the taxes were repealed; and that therefore it was necessary to the maintenance of the rights of the mother country, to keep the declaratory preamble in existence in their hands, and some one duty or other, the tea being that fixed upon, as a practical proof of their possession of the right. Had they had the wisdom and temper to let the tax stand on the statute books, a dead letter, without acting upon it, the colonists might perhaps have been in time sufficiently acquiescent under its provisions to prevent the mischiefs which followed. The pride of the ministers of Britain, might have been gratified with the retention of her metaphysical rights, and the colonies been contented with

the exemption from practical wrong: but such mediatory healing measures were alien to the men who composed the cabinet. Proud, restless and corrupt, they could not abstain from attempting that which, timid, indecisive and feeble they were unable to execute. Of too little force to kill or to cure, they were barely able to keep up a slow fever in the body politic, which vexed and wasted its vital strength. The resolute abstinence of the colonists from the use and purchase of tea made so great a defalcation in the exportations of the East India company, that immense quantities lay upon hand not only unsold, but in such a state of things, if it were to continue, absolutely hopeless of sale. In this dilemma that great body, who though the most wealthy in the world, are more acutely than most others, sensible to passion for gain, proposed to government to take off the duty laid upon the importation of that article into America, in consideration of which they would pay double that impost upon its exportation thither from England. Never was there a fairer occasion presented to repentant error to get back into the track of rectitude than this offer of the East India company afforded to the ministers; never a better opportunity to get out of their difficulties with some semblance of honour. But such healing counsels found no access to the hearts of those men. The loss to their country of an immense continent peopled with three millions of their countrymen, and a civil war of many years, with all its horrors and abominations was to be the price at which those ill-omened counsellors were to purchase the gratification of their humours. They therefore rejected the proposal of the company, and as an inducement to carry on the trade in such a manner as to enforce their system of taxation in America, agreed to take off the duty paid in England on exportation. The company, it appears, were not without their apprehensions that this expedient would be attended with danger. They demurred for some time; but government satisfied them by indemnifying them against

any loss ; and they entered into the business with all the earnestness, zeal, and alacrity which men do who have a prospect of immense gain without any risk. According to the new regulations the colonists would drink their tea at a lower price, the duty which was taken off in England being much greater than that which was laid upon its importation into America. But the colonists in considering the subject paid very little attention to that advantage—nay they regarded it with more suspicion, and became the more determined to resist the importation in whatsoever delusive shape it might be attempted.

The East India company began to make shipments on their own account. And now was the time when it was to be decided whether the colonists would carry into execution the resolves they had so long and so often made, and preserve a firm stand against taxation by the British parliament. The mode adopted by ministers was evidently designed to put the question to issue or to set it for ever at rest, and was therefore felt to be an indirect assault which ought to be opposed. Nor was the matter left to the simple operation of this spirit in the people of America. Other circumstances generated by the love of gain on both sides of the Atlantic, concurred to inflame and invigorate the opposition of the colonists. The East India company appointed agents of their own to dispose of their tea. This roused and alarmed the cupidity of the merchants in England, who accustomed to take a share in the profits upon that article of commerce could ill brook the company's taking it out of their hands and placing it in consignees of their own nomination. When the spirit of commerce is once put in motion upon the subject of its profits, it rarely listens to any suggestions but those which favour it, the English exporters lost no time, and left no industry untried to encourage the colonists to oppose the measures of the ministers and the East India company, and to inflame the colonial indignation. The American merchants not less jealous than the English, of the newly appointed con-

signees of the company, whom they considered as interlopers on their trade, joined those of England in invective. And those two were strengthened by the accession to their principles, of the whole body of contraband dealers, called smugglers, who foresaw that they would be undersold and of course suffer the loss of one of their principal sources of profit. Thus the selfishness of some sets of men came in aid of the patriotism of others; and thus mutually animated, inflamed, encouraged and supported by each other they presented a formidable front to government; and being clearly convinced that if the tea shipped by the company should be once landed and sold, the precedent for taxation would be indisputably established forever, they determined to take the affair at its crisis, and at once to oppose the landing and the sale of tea. It appears that the different provincial meetings had so completely concerted their plans and communicated to each other their sentiments, that the most perfect congeniality of opinion pervaded the whole. And it was universally resolved, and as publicly announced that whoever should countenance this outrage upon the liberties of his country should be deemed its enemy. The company's agents were obliged to resign—and the tea consigned to them was in most instances sent back to England in the very ships which brought it. In some few others, where with much difficulty the landing of it was effected (Charleston S. C. particularly) the tea was deposited in places where it remained untouched, and soon was rendered useless and unsaleable by damps. At Boston which may be considered as the emporium of opposition to government, a meeting assembled and voted by acclamation, that the tea should not be landed, that no duties should be paid, and that the tea should be sent back in the same bottoms in which it came. At this meeting though there was little or no direct opposition to the measures proposed by the patriots, there was not wanting much of cool temperate exhortation. It was said that as their proceedings led to consequences of

incalculable magnitude, and might terminate in a manner then little suspected, it behoved them to think of what they were about to do. No less in the spirit of the prophet than the patriot—Mr. QUINCY spoke to the meeting in words which ought never to be forgotten. “It is not (said he) the spirit which vapours within these walls that must stand us in stead hereafter. The proceedings of this day will call forth events which will make a very different kind of spirit necessary for our salvation. Whoever supposes that shouts and hosannas will terminate the trials of the day, entertains a childish fancy. We must be grossly ignorant of the importance and value of the prize for which we contend; we must be equally ignorant of the power of those who have combined against us; we must be blind to that malice, inveteracy and insatiable revenge which actuate our enemies public and private, abroad and in our bosom, to hope that we shall end this controversy without the sharpest conflicts, or to flatter ourselves that popular resolves, popular harangues, popular acclamations and popular vapour will vanquish our foes. Let us consider the issue!—let us look to the end!—let us weigh and consider before we advance to those measures which must bring on the most trying and terrible struggle this country ever experienced.” On the other hand it was said—and it serves to shew with what deliberate predetermination some of them had meditated upon a separation from the mother country—that “it must come a quarrel with Great Britain at last, and that that being the case the present opportunity was the best that could offer.” When the question was put there was not a dissenting voice to it. As soon as the meeting was dissolved, the multitude proceeded to the quay where the ship with the tea was lying, and where a number of them in the disguise of Mohawk Indians, broke open the vessels and threw the cargo, consisting of three hundred and forty two chests of tea over board into the water.

As this is a link in this heavy chain of historical events, which will rest with more than usual weight on one party or other, and as the transaction bears strong external marks of precipitate violence on the part of the Bostonians, it becomes necessary not to let it pass without very particular explanation. On the first intimation of the company's intention to consign their tea to agents of their own in America, resolutions had been formed and measures taken to prevent the importation of it. The consignees were in fact compelled to give up the business; and the pilots in the Delaware were ordered not to convey such ships up the river. In New York the most formidable measures to the same effect were successfully used; and these circumstances reaching the ears of the commanders of the tea ships, alarmed them so, that they very prudently returned back to England without making any entry at the custom house. But the relatives and friends of governor HUTCHINSON being the consignees of the company for Boston acted with more resolute perseverance. They refused to relinquish their appointments. And when the captain of the tea ship, alarmed at the approaching danger, and therefore desirous of returning to England, applied to the collector for a clearance, and to the governor for a pass, they both refused—for their own purposes. The former assuming a strictness of duty, and saying that he could not grant a clearance unless the vessel was discharged of all articles that legally bore a duty—the latter, that he could not grant a pass unless she was cleared at the custom house: at the same time the governor (and what can more strongly mark his intentions?) sent directions to the admiral on the station (MONTAGUE) to guard all the passages out of the harbour, and ordered that none but coasting vessels should be permitted to pass the fortress outward bound, without a pass signed by himself. Thus the government preventing the tea from being carried away, and the inhabitants being resolved that it should not be landed, there was but one mode of proceeding left to the latter; and that they adopted,

They were aware that if it the tea were left there for any time, no vigilance which they could exercise would prevent its being landed. They knew that a vast portion of every society is so much more under the dominion of appetite than of virtue, that the passion, even for such a thing as tea, would be more than a match for the patriotism of too many—and they justly considered the stake of their country's rights and liberties too valuable to be hazarded upon the capricious discretion of the tea drinkers of the province. The obstinacy of the governor was the cause of the loss sustained by the demolition of the tea; and it would be a very wretched excuse to offer in palliation of his conduct though it might **probably** be the true motive for it, that, having by his advice urged the government at home into the baleful perseverance which brought things to the state they were then in, he was bound in honour to persevere in the same line of conduct himself. On the whole of this transaction it must be admitted that either the principle of opposition on which the colonists acted was wrong, or the Bostonians were right in destroying the tea which was intended to be made the instrument of overturning that principle. This event created great surprise in Great Britain and its dependencies, and no less chagrin than surprise to the company and to administration. They never calculated upon such a perfect system of union and co-operation among the Americans. On the contrary they thought the thing by the joint means of force and cajoling would be effected in time—they were astonished that of all the tea which had been sent over for sale to the colonies not one chest was sold for their account, while three hundred and forty two were destroyed, and made to pay the price of their obstinacy.

If the proceedings in the colonies tended to give a shape and consistency to their system of opposition, the report of them in England gave strength to ministers, and new pretexts for persevering in their plans of coercion. The whole was on the 7th March, 1774, laid before the parliament in a

message from the king, which drew a strongly coloured picture of the proceedings in the colonies, representing them as not only interrupting the commerce, but endeavouring to overthrow the constitution of the country. This had the effect which the ministers not only desired, but foresaw it would have, of raising a violent indignation in parliament. While that body were in this mood, the particulars were presented to them in detail by extracts from letters, from the governors of the provinces, by which it appeared that the opposition complained of in the province of Massachusetts extended to all the other, and that there was as little likelihood to procure tea to be brought in the southern and middle, as in the northern parts of the colonies. It will be readily concluded that those representations coming from the ministers and their creatures, were rather overcharged against the colonists, than calculated to extenuate their conduct and that though the outline of the picture might have been drawn with truth, the shading was greatly heightened. The ministers insisted that the immediate interference of parliament was absolutely necessary to the reinstatement of tranquillity and order in the colonies, and to the securing their dependance upon the mother country. By the destruction of the tea, the people of Boston had subjected themselves to severe penalties by the laws of the land, This was looked upon as an opportunity which ought not to be neglected, of chastising that city for its seditious conduct; and the cabinet felt that this moment of irritation in the public temper, was the time, for which they had so long and so anxiously looked, to make the people of England sharers in any act of coercion or castigation they might think proper to commit upon the colonists; and so satiate their vengeance, and gratify their pride, without impairing their popularity, or incurring any dangerous responsibility for their acts, however unpropitiously they might terminate.

In the heat of their temper, thus artfully incensed against the provincialists, both houses of parliament conceded to the court all that the court desired. They expressed, almost

unanimously their approbation of the measures of government, and assured his majesty that they would use every means in their power to provide effectually for the execution of the laws, and to secure the dependence of the province upon the crown and parliament of Great Britain.

Parliament though invited by some of its members who were most celebrated for wisdom and virtue, not to take the business upon the partial grounds of the outrage committed on the tea-ship; not to decide upon an insulated matter of fact, without a due consideration of all its relations, causes and connections, but to look back upon the long continued series of grievances, which led to the dispute, thought it beneath their dignity to listen to any thing but the offence itself, which ministers insisted ought not to go unpunished; while their creatures filled the ministerial prints with writings calculated to rouse the indignation of the people at large, and particularly to alarm the commercial body, and persuade them the trade of the country was for ever lost if the Bostonians were not chastised for their destruction of the tea. In the general wrath, thus cunningly excited, the great radical constitutional grounds of the business were, for the time, forgotten by the British, who, though they could snuff offence in every breeze that blew from the quarter of prerogative at home, and never suspected an attack without marching forward to meet it, and gaining rather than losing ground in the conflict, were so blinded by the industry and artifices of the court, that many of them for the moment concurred in forcing upon their fellow subjects in America, that measure which no power upon earth could have either compelled or persuaded themselves to submit to, or accept from their own government, even with a strong standing army at its back to awe them into compliance. The parliament even outstripped the misguided people in intemperance. And in their indignation resigning themselves to the guidance of the corrupt and corrupting men of the court, they voted measures in revenge, which being like all things done in violent

anger bore strong evidence of madness on their face, and afterwards returned upon themselves with late, and fruitless repentance.

The first measure of active hostility against America, which the minister proposed, and parliament acceded to, was that, called the Boston port bill, by which the lading and shipping of goods, wares and merchandizes, at Boston, its harbour and dependencies, were discontinued till peace and good order should be restored, and compensation made for the tea destroyed. The next was a bill by which the charter of the Province of Massachussets' Bay, was totally annihilated and the nomination of all counsellors, magistrates and officers, was taken from those with whom it formerly resided by the constitution, and vested in the crown, or, in other words, in ministers themselves. The passing of those bills was resisted by a very respectable opposition, but carried by a numerous majority after very warm debates. The last of these acts cut deep into the rights of the American people, and was precisely the object at which the court junto had been so long aiming. The extinction of the old chartered privileges of the colonists, had, from the very beginning, been considered by the ministers as the only mean by which their dependence on the mother country could be secured. By this sweeping act of tyranny there was not now left to the provinces any one of those privileges by the instrumentality of which they could hope either to maintain their freedom or to seek redress for wrongs. The committee before elected by the legislature, was now to be appointed by the crown. Judges of the courts, attorney-general, provost-marshal, justices and sheriffs, were all to be removed and appointed by the king's governors. Town-meetings, which were among the chartered rights of the province, were forbidden to be held without the leave of the governor.— And even jurymen, who for time immemorial had been elected by the freeholders and inhabitants were now to be returned by the sheriffs of the counties.

HISTORY OF THE PASSING TIMES.

EIGHTH CONGRESS, 1804—5.

SECOND SESSION.

[Continued from page 312.]

On the 23d of January, 1805, in the house of representatives, a letter was produced from the secretary of state, and read, stating, that since the commencement of the present war in Europe, 1538 American seamen had been impressed. On motion the documents relating thereto were ordered to be printed.

Mr. Crowningshield said, that the house would recollect that the list of impressed seamen furnished by the department of state exceeded any thing he could have expected—that it appeared to be the intention of the British government, from the proclamations of the governors of the West Indies, to exclude us from their islands—that the carrying trade was an important object to our citizens, and should not be relinquished; and to give protection to our seamen and security to our commerce he offered the following resolution:

Resolved, That the committee of commerce and manufactures be instructed to enquire if any, and what further provision be necessary for the protection of the commerce and seamen of the United States; and to enquire whether any foreign country has made any late regulations with a view to monopolize any branch of the American carrying trade, to the exclusive benefit of such foreign country, or which in their operation may be injurious to the agricultural or commercial interest of the United States; and also, to enquire into the expediencies of prohibiting the exportation from the United States of all goods and merchandize

whatever, in foreign ships, bound to any port with which the vessels of the United States are not allowed communication, or were a free and unrestrained trade is not permitted in the productions of the United States; and that the committee be authorised to report by bill or otherwise."

This resolution was referred to a committee of the whole, for the Monday following, and ordered to be printed.

The following list closes the account which we have given of the proceedings of congress in the session of 1804—5. The irregularity with which the debates have come to hand has prevented us from making the account as complete as we wish, and did expect. In the ensuing year, care shall be taken that so far as the reports go, our records shall be more perfect.

LIST OF ACTS,

Passed at the second session of the Eighth Congress.

No. 1. An act making a farther appropriation for carrying into effect the treaty of amity, commerce and navigation, between his Britannic majesty and the United States of America.

2. An act making an appropriation to supply a deficiency in an appropriation for the support of government for the present year, and making a partial appropriation for the same object, during the year 1805.

3. An act concerning drawbacks on goods, wares and merchandize.

4. An act for the disposal of certain copies of the laws of the United States.

5. An act declaring Cambridge, in the state of Massachusetts, to be a port of delivery.

6. An act to divide the Indian Territory in two different governments.

7. An act authorizing the corporation of Georgetown to make a dam or causeway from Mason's-island, to the western shore of the river Potomac.

8. An act for the relief of Charlotte Hazen, widow and relict of the late brigadier-general Moses Hazen.

9. An act making appropriations for the support of the navy of the United States, during the year 1805.

10. An act making appropriation for completing the south wing of the capitol, at the city of Washington; and for other purposes.

11. An act for carrying into more complete effect the tenth article of the treaty of friendship, limits and navigation with Spain.

12. An act to provide for the completing the valuation of lands and dwelling houses, and the enumeration of slaves in South-Carolina; and for other purposes.

13. An act supplementary to an act, entitled "an act to regulate the collection of duties on imports and tonnage."

14. An act for the relief of John Steel.

15. An act for the relief of Alexander Murray.

16. An act authorizing the post-master-general to make a new contract for carrying the mail from Fayetteville, in North-Carolina, to Charleston, in South-Carolina.

17. An act concerning the mode of surveying the public lands of the United States.

18. An act making appropriations for the support of the military establishment of the United States, for the year 1805.

19. An act making appropriation for the support of government for the year 1805.

20. An act to continue in force "an act declaring the consent of congress to an act of the state of Maryland passed the 28th day of December, 1793, for the appointment of a health officer,"

21. An act to amend the act, entitled "an act further to amend an act, entitled "an act to lay and collect a direct tax within the United States."

22. An act to appropriate a sum of money for the purpose of building gun-boats.

23. An act to authorize the erection of a bridge across a mill-pond and marsh, in the navy-yard belonging to the United States, in the town of Brooklyn, in the state of New-York.

24. An act further to amend an act, entitled "an act regulating the grants of land, and providing for the disposal of the lands of the United States, south of the state of Tennessee."

25. An act for ascertaining and adjusting the titles and claims of land within the territory of Orleans, and the district of Louisiana.

26. An act to amend an act, entitled "an act for the government and regulation of seamen in the merchant's service."

27. An act for the relief of the widow and orphan children of Robert Elliott.

28. An act authorising the discharge of John York from his imprisonment.

29. An act to authorise the secretary of war to issue military land warrants, and for other purposes.

30. An act to amend the charter of George-Town.

31. An act further providing for the government of the territory of Orleans.

32. An act to amend an act, entitled, "an act for imposing more specific duties on the importation of certain articles; and also, for levying and collecting light money on foreign ships or vessels."

33. An act to provide for the accommodation of the president of the United States.

34. An act to establish the districts of Genessee, of Buffalo creek, and of Miama; and to alter the port of entry of the district of Erie.

35. An act to regulate the clearance of armed merchant vessels.

36. An act further to alter and establish certain post roads; and for other purposes.

37. An act for the relief of Richard Taylor.

38. An act supplementary to the act entitled, "an act making provision for the disposal of the public lands in the Indiana Territory ; and for other purposes."

39. An act making provision for the accommodation of the president of the United States.

40. An act making provision for the widow and orphan children of Thomas Flinn.

41. An act for the relief of George Scoone, and Alexander Cameron.

42. An act making appropriations for carrying into effect certain Indian treaties, and for other purposes of Indian trade and intercourse.

43. An act "to provide for a light house on Watch-hill point, in the state of Rhode-Island."

44. An act to revive and make permanent the act to prescribe the mode of taking evidence on cases of contested elections for members of the house of representatives of the United States, and to compel the attendance of witnesses, passed the third day of January, 1798, and in addition to the same.

45. An act "for the more effectual preservation of peace in the ports and harbours of the United States, and in the waters under their jurisdiction."

46. An act "to extend jurisdiction in certain cases to the territorial courts."

47. An act "for the relief of Robert Patton and others."

Joint resolution, expressive of the thanks of congress to commodore Edward Preble, the officers, seamen and marines of his squadron.

Thus ended the second session of the eighth congress of the independent United States of America.

SENATE OF THE UNITED STATES.

On Wednesday, February 13, the seals of the respective returns were broken, by the vice-president (Mr. Burr) and handed to the tellers, through the secretary, when it appeared, that Thomas Jefferson was elected president, by a majority of 148 votes, and that Mr. George Clinton was elected vice president of the United States, by a like majority, for the term of four years, from the 3d day of March next.

FOR PRESIDENT. FOR VICE-PRESIDENT.

T. Jefferson. C. C. Pinckney. T. J. C. C. P.

New-Hampshire	7	0	7	0
Massachussetts	19	0	11	0
Rhode-Island	4	0	4	0
Connecticut	0	9	0	9
Vermont	6	0	6	0
New-York	19	0	19	0
New-Jersey	8	0	8	0
Pennsylvania	20	0	20	0
Delaware	0	3	0	3
Maryland	9	2	9	2
Virginia	24	0	24	0
North-Carolina	14	0	14	0
South-Carolina	10	0	10	0
Georgia	6	0	6	0
Tennessee	5	0	5	0
Kentucky	8	0	8	0
Ohio	8	0	8	0
	<hr/> 162	<hr/> 14	<hr/> 162	<hr/> 14